

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE: § **CASE NO. 17-32788-H2-11**
2020 McGowan, LLC §
Debtor. §

OBJECTION TO CLAIM OF STALLION FUNDING, LLC – CLAIM #3

THIS IS AN OBJECTION TO YOUR CLAIM. THE OBJECTING PARTY IS ASKING THE COURT TO DISALLOW THE CLAIM THAT YOU FILED IN THIS BANKRUPTCY CASE. YOU SHOULD IMMEDIATELY CONTACT THE OBJECTING PARTY TO RESOLVE THE DISPUTE. IF YOU DO NOT REACH AN AGREEMENT, YOU MUST FILE A RESPONSE TO THIS OBJECTION AND SEND A COPY OF YOUR RESPONSE TO THE OBJECTING PARTY WITHIN 30 DAYS AFTER THE OBJECTION WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE OBJECTION IS NOT VALID. IF YOU DO NOT FILE A RESPONSE WITHIN 30 DAYS AFTER THE OBJECTION WAS SERVED ON YOU, YOUR CLAIM MAY BE DISALLOWED WITHOUT A HEARING.

1. On May 1, 2017, the Debtor filed a voluntary chapter 7.
2. On August 9, 2017, the case was converted to a case under chapter 11.
3. On August 22, 2017, the Court set the bar date for filing claims in this chapter 11 for December 18, 2017.
4. Claimant had knowledge of the bar date, and fully participated in the bankruptcy case.
5. Claimant was scheduled (as Stallion Texas Real Estate Fund, LLC) in the Debtor's Schedules, also providing notice to its counsel, with a disputed claim, requiring the Claimant to timely file a claim.
6. On February 7, 2018, Stallion Funding, LLC filed claim #3 asserting a secured claim for \$1,641,901.22.
7. The claim is untimely, and should be disallowed in its entirety.

8. In the alternative, Claimant has not provided any backup, pay histories or disbursement details to support the alleged amounts owed.
9. The Debtor's books and records reflect that only \$1,361,137.76 was actually disbursed on this note.
10. The Debtor's books and records do not reflect the amounts claimed to be owed pursuant to claim #3.

WHEREFORE, the Debtor requests the Court to disallow claim #3 filed by Stallion Funding, LLC, and to grant it such other and further relief, at law or in equity, to which it may be justly entitled.

Dated: February 18, 2018.

Respectfully submitted,

By: /s/ Johnie Patterson
Johnie Patterson
State ID# 15601700

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing *Objection To Claim #3* was served upon William Chesney, counsel for the Claimant by electronic transmission on February 18, 2018.

By: /s/ Johnie Patterson
Johnie Patterson